

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

UNITED STATES OF AMERICA	§	PLAINTIFF
	§	
v.	§	CIVIL NO. 1:13cr75-HSO-RHW
	§	
CRISTIN L. BURNETT	§	DEFENDANT

**ORDER DENYING DEFENDANT'S MOTION TO CHANGE METHOD  
BY WHICH BALANCE OF SENTENCE IS SERVED**

BEFORE THE COURT is the Motion to Change Method By Which Balance of Sentence is Served [23] filed by Defendant Cristin L. Burnett on August 27, 2014. Defendant Cristin L. Burnett requests that she be permitted to serve the remainder of her sentence on home confinement or in a “halfway house-like facility.” The Government has not filed a Response. Having considered the Motion [23], the record, and relevant legal authorities, the Court is of the opinion that Defendant Cristin L. Burnett’s Motion [23] should be denied.

Pursuant to 18 U.S.C. § 3582(c), courts are permitted to modify sentences only in very narrow circumstances. Criminal sentences may only be modified on motion of either the Bureau of Prisons or the Government, to correct a clerical error as contemplated by Rule 35 of the Federal Rules of Criminal Procedure, where the sentenced defendant provides substantial assistance to the Government, or where the particular sentencing range has been subsequently lowered by the United States Sentencing Commission. *See United States v. Marion*, 79 F. App’x 46, 2003 WL 22423180, at \*1 (5th Cir. Oct. 22, 2003) (citing 18 U.S.C. § 3582(c)(1)-(2)). None

of these circumstances apply to Defendant. Therefore, the Court is without jurisdiction to grant Defendant's request to modify the remainder of her sentence, and the Motion should be denied. *See id.* Accordingly,

**IT IS, THEREFORE, ORDERED AND ADJUDGED** that Defendant Cristin L. Burnett's Motion to Change Method By Which Balance of Sentence is Served [23] is **DENIED**.

**SO ORDERED AND ADJUDGED**, this the 15th day of September, 2014.

*s/ Halil Suleyman Ozerden*

HALIL SULEYMAN OZERDEN  
UNITED STATES DISTRICT JUDGE